

OAK RIDGE SITE SPECIFIC ADVISORY BOARD



FY 2002

ANNUAL REPORT

SEPTEMBER 2001–AUGUST 2002

WELCOME TO THE ORSSAB 2002 ANNUAL REPORT



This was an eventful year for the Oak Ridge Site Specific Advisory Board (ORSSAB) and for the U.S. Department of Energy (DOE) Environmental Management (EM) program. The Top-To-Bottom Review and new documents, including Comprehensive Cleanup Proposal, Letter of Intent, Cleanup Plan Agreement, and Performance Management Plan, appeared to place the path forward for cleanup of the Oak Ridge Reservation on a fast track. If the proposed project schedules and goals were indeed realistic, we were encouraged that work might proceed without perpetual re-evaluation of priorities for limited resources. We continued to be concerned that planning for long-term stewardship be an integral part of remediation, not an activity that would become defined afterwards and be assigned to another program without the institutional knowledge. We also struggled with a new DOE-Headquarters policy assigning to site managers the responsibility for stakeholder interaction. It seemed potentially in conflict with responsible awareness of complex-wide implications.

Nevertheless, ORSSAB worked to keep up with the shifting landscape and its mission to advise DOE on its EM program. Notable accomplishments include the following:

- The Board generated sixteen recommendations and comments this year on important topics like the Top-To-Bottom Review, the Comprehensive Closure Plan, disposition of legacy low-level waste, and historic preservation.
- The Board sponsored public meetings on the EM program budget and Toxic Substances Control Act Incinerator (TSCAI) closure to help stakeholders learn more about these key topics.
- ORSSAB members participated in a number of meetings and conferences around the nation to learn about EM and waste management policy, gain understanding of relevant technical issues, and help generate national SSAB recommendations on groundwater issues.
- A Stewardship Education Subcommittee was formed to help ensure that stewardship issues are understood and discussed throughout the community through outreach programs in schools, state and local governments, and various other community organizations around the region. The subcommittee worked with two area high school classes to develop executive summaries for the *Oak Ridge Reservation Stakeholder Report on Stewardship, Volumes 1 and 2*.
- A Stewardship Status Team was formed to review completed remediation projects to see how stewardship is being incorporated.

Overall, key events in the DOE EM program included milestone disputes, an announcement on extending the life of TSCAI, and record of decision signings for Bethel Valley and Upper East Fork Poplar Creek. In June 2002, DOE opened its new Information Center, which proved to be a valuable resource for stakeholders. The center also offered office space for ORSSAB members to use while studying EM documents or surfing environmental web sites. Also in June, the long-awaited Environmental Management Waste Management facility began operation and accepted its first wastes from the Boneyard/Burnyard project.

FY 2002 was a very challenging yet productive year for ORSSAB, and FY 2003 promises to be even more challenging and rewarding. I encourage other stakeholders to work with us.

Luther V. Gibson, Jr. |

Luther V. Gibson, Jr., Chair

CONTENTS

GENERAL INFORMATION	2
FY 2002 RECOMMENDATIONS & COMMENTS	4
SPECIAL EVENTS	5
PARTICIPATION IN MEETINGS & CONFERENCES	6
PUBLIC OUTREACH	8
COMMITTEES	10
MEMBERSHIP	13
APPENDIX A. FY 2002 BOARD MEETINGS	16
APPENDIX B. FY 2002 RECOMMENDATIONS & COMMENTS	18
APPENDIX C. ABBREVIATIONS	33

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On the cover: FY 2002 ORSSAB members, ex officios, and student representatives. Standing, left to right: Jeanne Bonner, George Rimel, Jenna Carignan (student representative), David Johnson (student representative), John Kennerly, John Million, Pat Hill, Steve Kopp, Luther Gibson, Connie Jones (EPA ex officio), John Owsley (TDEC ex officio), Bob McLeod, Colin Loring, Donna Campbell, Gerald Boyd (Deputy Designated Federal Official). Seated, left to right: Kerry Trammell, Heather Cotbron, Ben Adams, Dave Mosby, Luis Revilla, Dick Berry, Norman Mulvenon, Pat Halsey (DOE ex officio). Not pictured: Jake Alexander, Amy DeMint, Charles Washington.

GENERAL INFORMATION

The Oak Ridge Site Specific Advisory Board (ORSSAB) is an independent, federally appointed citizens' panel that provides advice and recommendations to the U.S. Department of Energy (DOE) on its Oak Ridge Environmental Management (EM) Program. The group was formed in 1995.

The Board is dedicated to providing informed recommendations and advice to the DOE EM Program regarding environmental restoration and waste management, as well as land use and economic development of contaminated areas. Recommendations regarding environmental justice, health and safety issues, and other subjects may be developed at the Board's discretion. The Board is committed to reflecting the concerns of the communities impacted by EM activities at the Oak Ridge Reservation (ORR) and to serving as a communications link between the public and the relevant government agencies, including local governments. A map of the ORR is shown in Figure 1.

The Board is composed of up to 20 members, chosen to reflect the diversity of gender, race, occupation, views, and interests of persons living near the ORR. Members are appointed by DOE and serve on a voluntary basis, without compensation. At the close of Fiscal Year (FY) 2002, the Board consisted of 20 voting members from four counties: Anderson, Knox, Loudon, and Roane. Non-voting members include representatives from the DOE-Oak Ridge Operations (DOE-ORO), the U.S. Environmental Protection Agency (EPA) Region 4, and the Tennessee Department of Environment and Conservation (TDEC). These members advise the Board on their respective agency's policies and views. Two non-voting student participants also serve on the Board to represent the viewpoints and concerns of area youth.

ORSSAB provides a number of avenues for the public to learn and express views about DOE-ORO EM work. All Board and committee meetings are open to the

public and are announced in newspaper advertisements, at the DOE Information Center in Oak Ridge, and through the Board's 24-hour information line: 865-576-4750. Board meetings are also advertised in the *Federal Register* and are video recorded and broadcast on local cable television stations. Copies of the tapes are available for public review. The Board maintains a Web site at www.oakridge.doe.gov/em/ssab where information can be found. Information is also available by calling the ORSSAB support office at 865-576-1590 or 1-800-382-4582.

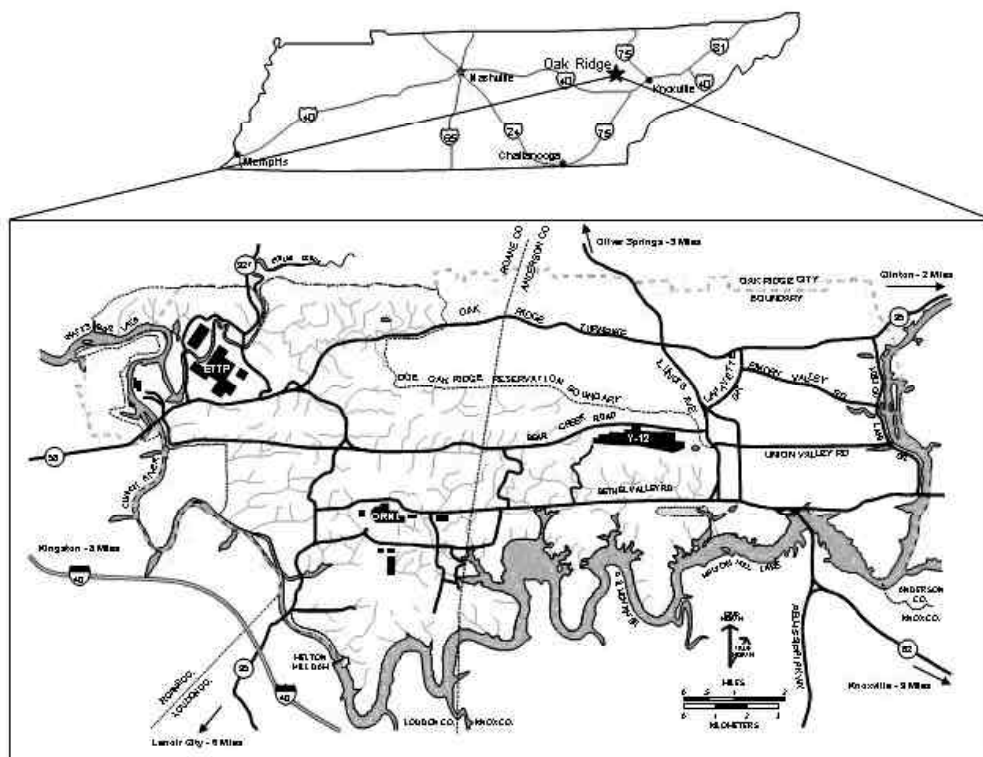


Figure 1. Map of the Oak Ridge Reservation showing East Tennessee Technology Park [ETTP (formerly the K-25 Site)], Oak Ridge National Laboratory (ORNL), and the Oak Ridge Y-12 National Security Complex (Y-12).

BOARD MEETINGS

The Board meets monthly to hear presentations by personnel working on relevant EM topics, listen to and discuss input from concerned citizens, consider recommendations to DOE developed by the various ORSSAB committees, and conduct other business. The Board conducts its deliberations under ORSSAB Bylaws and Roberts Rules of Order and strives for consensus in reaching decisions. See Appendix A for a listing of FY 2002 Board meetings.

COMMITTEES

At the start of FY 2002, the Board established standing committees to review issues concerning three broad topic areas: environmental restoration, stewardship, and waste management. General Board business is handled at the monthly Executive Committee meeting. This committee, which is composed of the elected officers of the Board and the committee chairs, holds general administrative authority to set Board agendas, coordinate the work of committees, and transact business as necessary between regular meetings. ORSSAB committees usually meet monthly, and all meetings are open to the public. An ad hoc Board Process Committee meets as needed to address parliamentary matters and other process concerns related to operation of the Board. A diagram of the Board's organizational structure is shown in Figure 2.



Figure 2. ORSSAB organization. Additional ad hoc committees may be formed to address mission-related topics on a short-term basis.



ORSSAB MISSION STATEMENT

The Oak Ridge Site Specific Advisory Board is an independent, nonpartisan, broadly representative group of citizens with interests

and concerns related to the environment at the Oak Ridge Reservation and surrounding areas. The Board is dedicated to providing informed recommendations and advice to the Department of Energy Environmental Management Program regarding environmental restoration and waste management, as well as land use and economic development of contaminated areas. Recommendations regarding environmental justice, health and safety issues, and other subjects may be developed at the Board's discretion. The Board is committed to reflecting the concerns of the communities impacted by environmental management of the Oak Ridge Reservation and to serving as a communications link between the public and the relevant gover government agencies including local governments.

Each ORSSAB committee creates its own work plan to guide its activities during the year. Suggestions for committee work plan topics were provided at the beginning of the year by DOE, TDEC, EPA, ORSSAB members, and stakeholders (via the Board's "Stakeholder Survey"). Topics were evaluated at the Board's Annual Planning Retreat on four criteria: (1) importance to ORSSAB and the public, (2) opportunity for impact, (3) what information will be needed, and (4) when is action likely. Selection of final work plan topics was made at the retreat by the Board membership. These topics were then formed into committee work plans, which were "living documents" to be updated continually as the Board year progressed.

FY 2002 BOARD OFFICERS

Officers for the year were Chair, Luther Gibson; Vice Chair, Dave Mosby; Secretary, Corkie Staley.

FY 2002 RECOMMENDATIONS & COMMENTS

In FY 2002 (September 2001–August 2002) the Board studied a variety of issues related to DOE EM activities. Review of an issue usually begins in the standing committees, which prepare draft recommendations and comments for Board review and approval. The review process often includes detailed briefings in Board and committee meetings where members of the Board and the public may ask questions and discuss their views. Each monthly Board meeting includes time for public input and response, and citizens attending the meetings

are invited to ask questions and express views following technical briefings.

Following is a list of the recommendations and comments submitted during FY 2002. Abridged text is available in Appendix B. A brief history of each recommendation or set of comments and DOE's response (where applicable) are also included. Complete text is available on the Board's Web site at www.oakridge.doe.gov/em/ssab.

Number	Recommendations & Comments	Date Issued
R09/12/01.1	Recommendations & Comments on the <i>Engineering Evaluation/Cost Analysis for the Decontamination and Decommissioning of the K-25 and K-27 Buildings at the East Tennessee Technology Park</i> , DOE/OR/01-1917&D3	9/12/01
R09/12/01.2	Recommendation that ORSSAB be Granted a Seat on the Oak Ridge Reservation Land-Use Focus Group	9/12/01
R10/10/01.3	Comments on the <i>Proposed Plan for Interim Remedial Actions for Selected Contaminated Soil, Material, and Blair Quarry within Zone 1, East Tennessee Technology Park</i> (DOE/OR/01-1936&D3)	10/10/01
R10/10/01.4	Recommendations on Explanations of Significant Difference for CERCLA Records of Decision at the DOE Oak Ridge Reservation	10/10/01
R01/9/02.5	Recommendations on the Evaluation of Closure of the DOE Toxic Substances Control Act Incinerator	10/10/01
R02/13/02.6	Comments on the DOE HQ Long-Term Stewardship Strategic Plan of 12/7/01	2/13/02
R03/13/02.7	Recommendations on Deletion of Milestones for Mixed Transuranic Wastes from the <i>Site Treatment Plan for Mixed Wastes on the DOE Oak Ridge Reservation</i>	3/13/02
R03/13/02.8	Endorsement of National SSAB Groundwater Workshop Final Statements	3/13/02
R04/10/02.9	Long-Term Stewardship Issues in the DOE "Top-to-Bottom Review of the EM Program"	4/10/02
R04/10/02.10	Public Participation Issues in the DOE "Top-to-Bottom Review of the EM Program"	4/10/02
R05/08/02.11	Recommendations on Accelerated Disposition of Legacy Low-Level Waste at the U.S. Department of Energy's Oak Ridge Reservation	5/08/02
R05/08/02.12	ORSSAB Endorsement of the Oak Ridge DOE EM Program <i>Oak Ridge Comprehensive Closure Plan Proposal</i>	5/08/02
R05/08/02.13	ORSSAB Endorsement of National SSAB Letter to Assistant Secretary for Environmental Management	5/08/02
C07/10/02.14	Comments on the <i>Oak Ridge Performance Management Plan</i>	7/10/02
R08/3/02.15	Recommendations on Remediation Effectiveness Reports General Outline	8/3/02
R08/3/02.16	Request for Inclusion as a Consulting Party on Historic Preservation Issues	8/3/02

SPECIAL EVENTS

ANNUAL PLANNING RETREAT

The Board generally works to achieve its mission through its committee structure, and each year the Board holds a planning retreat to determine how best to address its mission and what its committee structure should be. This year's retreat was held August 2 and 3, 2002, at Rothchild Catering in Knoxville, Tennessee. Minutes from the retreat were recorded and are available on the Board's web site at www.oakridge.doe.gov/em/ssab/minutes.htm.

Because each ORSSAB committee creates its own work plan to guide its activities, a prime objective of the retreat is to discuss committee plans for the coming year. Working with ex officios from DOE, TDEC, and EPA, ORSSAB members developed lists of work plan topics for each of the three standing committees. These work plans were finalized at subsequent meetings to become living documents that were updated continually as the Board year progressed.

TSCAI PUBLIC MEETING

On December 19, 2001, ORSSAB sponsored a public meeting with Helen Belencan, Low-Level Waste (LLW) and Mixed LLW Program Manager for the DOE-Headquarters (DOE-HQ) Office of Integration and Disposition. Ms. Belencan was invited to visit by the ORSSAB Waste Management Committee to discuss her analysis of DOE complex-wide incineration needs and the pending decision regarding the planned closure of the Toxic Substances Control Act Incinerator (TSCAI). Eight Board members and approximately 30 members of the public attended the meeting.

Ms. Belencan's analysis shows a strong demand for incineration of low-level radioactive wastes for some time past the proposed TSCAI closure date of September 2003. It also indicates a lack of commercial-sector alternatives. As a result of the meeting, ORSSAB issued a detailed recommendation to DOE-HQ on January 9, 2002 (see Appendix B), which among other things, questioned the wisdom of shutting down TSCAI in 2002. DOE's response indicated a willingness to consider extending TSCAI operations through 2006.

EM BUDGET UPDATE

A public meeting on the DOE-ORO EM budget planning was held February 14, 2002, at Jacobs Technical Center. The meeting, which was cosponsored by the ORSSAB Environmental Restoration Committee and DOE, addressed the EM projects being funded by the FY 2002 budget allocation and project prioritization information for FY 2003 and FY 2004. Approximately 35 people attended the meeting.

TOUR OF THE FOSTER WHEELER TRANSURANIC (TRU) WASTE PROCESSING FACILITY

Mixed TRU wastes—highly radioactive materials mixed with hazardous chemicals—are some of the most toxic substances stored on the ORR. Oak Ridge has more than 80% of the remote-handled (the most dangerous) TRU radioactive waste in the DOE complex and 1000 cubic meters of contact-handled TRU. To rid the reservation of these wastes, DOE has contracted with Foster Wheeler Environmental Corporation to construct a TRU waste processing facility near ORNL.

On June 19, 2002, members of the ORSSAB Waste Management Committee toured the facility to learn more about TRU wastes and DOE's plans for treating, packaging, and shipping it to the Waste Isolation Pilot Plant in Carlsbad, New Mexico. Ten ORSSAB members; the Board's technical advisor, Doug Sarno; and two members of the public attended the tour.



Members of the ORSSAB Waste Management Committee tour Foster Wheeler's TRU processing plant during construction of the facility.

PARTICIPATION IN MEETINGS & CONFERENCES

ORSSAB members attended several meetings, workshops, and conferences during the year to (1) participate in discussions on EM and waste management policy, (2) gain understanding of relevant technical issues, (3) discuss subjects of mutual interest and develop personal contacts with SSAB counterparts at other sites, and (4) present technical papers on EM-related topics. Following are summaries of this year's activities.

ENERGY COMMUNITIES ALLIANCE FALL CONFERENCE, OAK RIDGE, TENNESSEE, OCTOBER 2001

The Energy Communities Alliance is dedicated to promoting long-term stewardship, diversifying communities' economic bases, and aiding the federal government in determining land use in communities that may be affected by DOE activities. Topics at the meeting included community economic development, transportation, and long-term stewardship. Members participating: Charles Washington.

PROGRAM ADVISORY COMMITTEE MEETING ON THE INTERNATIONAL CONFERENCE ON INCINERATION AND THERMAL TREATMENT TECHNOLOGIES (IT3), COLLEGE PARK, MARYLAND, NOVEMBER 2001

The purpose of the meeting was to prepare for the May 2002 IT3 conference by reviewing and selecting abstracts, soliciting additional abstracts, organizing papers into sessions, and advising on issues associated with conduct of the conference, including promotion of and participation in the conference. The meeting allowed Oak Ridge to provide input to the IT3 technical program in May. Members participating: Luther Gibson.

SSAB GROUNDWATER WORKSHOP, AUGUSTA, GEORGIA, JANUARY 2002

Approximately 90 SSAB members from across the nation, DOE officials, stakeholders, and others attended the workshop, which was hosted by the Savannah River Site Citizens Advisory Board. The event offered an in-depth

discussion of groundwater issues, including what can happen in contaminant plumes, remedial strategies, and regulations. A number of statements regarding groundwater issues were developed by the SSAB members. These were later ratified by the individual SSABs and transmitted to the Assistant Secretary for EM on April 16, 2002. Prior to his appointment to ORSSAB in January 2002, Norman Mulvenon agreed to represent a stakeholder's perspective on the workshop discussion panel. Members participating: Luther Gibson, Perry Shaffer, Kerry Trammell, Charles Washington.

ENVIRONMENTAL STEWARDSHIP: PROMISING SOLUTIONS TO UNCERTAINTY, NEW ORLEANS, LOUISIANA, FEBRUARY 2002

The goal of this symposium was to bring together innovative thinkers, scientists, and key decision-makers in the field of environmental stewardship to critically evaluate current research on risk assessment, environmental indicators, and sensor development, as well as social sciences and risk communication and management. The meeting was hosted by the Center for Bioenvironmental Research and was funded by a grant from DOE. Members participating: Perry Shaffer.



SSAB Groundwater Workshop participants (left to right) Luther Gibson, Perry Shaffer, and Kerry Trammell pause during the poster session. Oak Ridge presented six posters at the session plus handout materials. Jason Darby of DOE-ORO also helped out during the poster session to answer questions from workshop participants.

**WASTE MANAGEMENT 2002, TUCSON, ARIZONA,
FEBRUARY 2002**

Over 2500 representatives from government, industry, and academia attended this annual conference to discuss and evaluate current and evolving technologies in waste management. The conference featured workshops, panel discussions, and presentations on various topics related to the storage, treatment, transportation, and disposal of hazardous and mixed waste. Members participating: John Kennerly, Steve Kopp.

**SEMIANNUAL SSAB CHAIRS MEETING, CINCINNATI,
OHIO, APRIL 2002**

Hosted by the Fernald Citizens Advisory Board, the meeting provided SSAB members from across the country with the opportunity to discuss EM projects and policy, gain understanding of relevant technical issues, and develop personal contacts with their counterparts at other sites. The meeting included a tour of the Fernald site. Members participating: Luther Gibson, Norman Mulvenon.

**SOUTHWEST DISPOSAL SITE TOUR,
APRIL 2002**

The purpose of the tour was to educate ORSSAB members about waste disposal practices at sites where EM wastes are being disposed or may be disposed in the future. Sites included Envirocare of Utah near Salt Lake City, and the Nevada Test Site (NTS) and Yucca Mountain Project near Las Vegas. Tours furnished by the sites provided information on transportation, licenses/permits, safety, cost efficiency, and growth. Members participating: Alix King, Luis Revilla.

IT3, NEW ORLEANS, LOUISIANA, MAY 2002

This conference is held annually, offering the perspectives of regulators, designers, operators, program managers, and research scientists. This conference included numerous speakers, field trips, and optional courses on incineration, thermal treatment, and alternative technologies. Mr. Gibson chaired the session

on Emission Control. Members participating: Luther Gibson, Luis Revilla, Charles Washington.

**ALTERNATIVES TO INCINERATION NATIONAL
STAKEHOLDER FORUM, DENVER, COLORADO, JUNE 2002**

Over 50 interested stakeholders met to discuss values and concerns that should be considered by DOE in its technology development and evaluation process for alternative technologies to incineration for treatment of mixed transuranic and mixed LLW. The forum was sponsored by DOE and facilitated by Global Environment and Technology Foundation. Mr. Gibson presented a "technologist's perspective" during an introductory panel discussion. Members participating: Luther Gibson, Charles Washington.



Participants on the Southwest Waste Disposal Tour included (left to right) Pete Osborne (ORSSAB Support Office), Luis Revilla, Alix King, and Doug Raper (Paducah Citizens Advisory Board). Amanda Hawes (far right) provided a tour of Envirocare of Utah, located near Salt Lake City.

**T.E.N. HEALTH & ENVIRONMENT FORUM, NASHVILLE,
TENNESSEE, JULY 2002**

The purpose of the meeting was to discuss information on public awareness of health tracking, pollution in our environment, and the links between disease and the public's exposure to the environment. The meeting included panel discussions, reports from public health professionals, and an open question-and-answer period. Members participating: Pat Hill.

PUBLIC OUTREACH

The goal of ORSSAB public outreach is to achieve the Board's mission as it relates to community involvement:

"The Board is committed to reflecting the concerns of the communities impacted by environmental management of the ORR and to serving as a communications link between the public and DOE."

ORSSAB invites public participation in Board activities and uses a variety of methods to achieve its outreach goals. Following are some of the methods and materials used by the Board to get the word out about ORSSAB and its activities.

24-hour information

line—A recorded phone message (at 865-241-4750) offers up-to-date information on ORSSAB meetings and special events.

800 number—Stakeholders from outside the local calling area can get in touch with the support office by calling toll free: 1-800-382-6938.

Advocate newsletter—

Approximately 500 newsletters are mailed out quarterly to inform local stakeholders about ORSSAB activities and maintain an ongoing dialogue with the community.

ORSSAB Annual report—The report is sent to state legislators, local media and organizations, and governmental agencies to promote awareness of Board activities.

Briefings and presentations—Presentations to local civic, educational, and governmental organizations serve to encourage participation in Board activities, and they are an important way to achieve the Board's educational and communication goals.

Brochure—Distributed at meetings, conferences, and presentations, the brochure draws a quick portrait of Board activities and includes a reply card that makes it easy to get more information about the Board.

Cable TV—Most Board meetings begin with an EM-related presentation, and this portion of the meeting is broadcast on the local cable station to help educate the public about EM activities.

Conference presentations—Board members periodically make presentations at local and national conferences on EM- and SSAB-related topics.

Information booklet—A guide to the SSAB designed for distribution to the public at local libraries and other resource agencies.

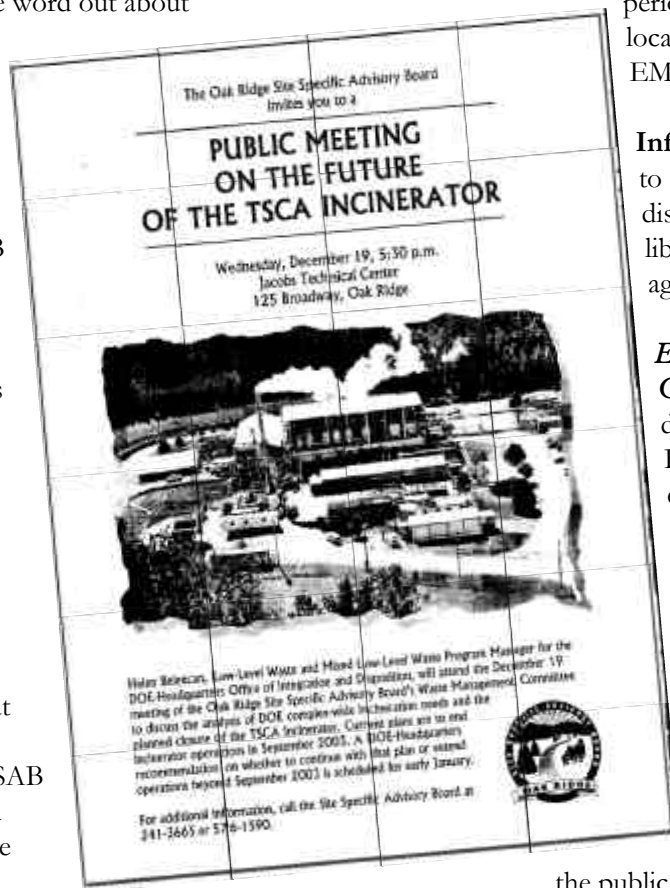
EM Information Resource

Guide—The guide was developed initially as a tool for Board members but is also distributed at Board meetings and presentations to promote the SSAB as an information resource for the public.

Newspaper ads—An ad is placed in local papers each month to meet the goal of informing and involving the public in Board activities. Ads are also used to advise the public of special events.

News releases—Releases are developed on newsworthy topics, such as appointments to the Board, public meetings sponsored by ORSSAB, and special presentations at Board meetings.

Special mailings and posters—The Board advertises special presentations and events by sending out special mailings to local civic and EM stakeholder groups. Posters are also used, when appropriate, to get the word out about these activities.



Stakeholder survey—The annual survey is the primary means through which the Board evaluates its effectiveness in communicating with the public. The survey is sent out to persons and organizations on the Board’s mailing lists and is available on the Board’s web site.

Web page—(www.oakridge.doe.gov/em/ssab). The web site serves several purposes: it provides information about the Board to the public, it serves as a one-stop information resource about the DOE EM Program, it helps the Board evaluate its effectiveness via the stakeholder survey, and it provides up-to-date information about meetings and special events.



Presentations to area colleges and high schools figure prominently into ORSSAB public outreach. Here, ORSSAB student representative Jenna Carignan (far left) and ORSSAB member Norman Mulvenon relax with Oak Ridge High School teacher Nita Ganguly following a presentation to her Advanced Placement Sciences class on May 6, 2002.

Getting the ORSSAB word out involves getting out into the community, into meetings of other organizations, and into the sites where EM work takes place. This year, Board members made a number of presentations and contacts with area stakeholders and organizations. Following is a list of those activities.

Person, Organization, or Event	Date	Members Participating
Carolyn Jensen, Field Representative for Sen. Frist	1/29/02	Kopp, Vowell
Cindy Lemons, Field Representative for Sen. Thompson	2/1/02	Vowell
Dean Rice, Field Representative for Rep. Duncan	2/1/02	Vowell
Jane Chedester, Field Representative for Gov. Sundquist	2/1/02	Vowell
Linda Ponce, Field Representative for Rep. Wamp	2/6/02	Trammell
David Bradshaw, Mayor of Oak Ridge	4/22/02	Kopp, Washington
Victor Ashe, Mayor of Knoxville	5/10/02	Kennerly, Kopp, Mulvenon
Thomas Shumpert, Knox County Executive	5/13/02	Kennerly, Kopp, Mulvenon
Kenneth Yager, Roane County Executive	5/20/02	Trammell
Rex Lynch, Anderson County Executive	10/10/02	Berry, Washington
Frank Munger, <i>Knoxville News-Sentinel</i> Oak Ridge Bureau	11/15/02	Mosby
Karns High School Advanced Placement Sciences Class	5/3/02	Mulvenon
Oak Ridge High School Advanced Placement Sciences Classes	5/6/02	Mulvenon
Mayfest	5/17/02	Mulvenon
Foster Wheeler Environmental Corporation	8/22/02	Campbell

COMMITTEES

ENVIRONMENTAL RESTORATION



Committee members, clockwise from top left: Kerry Trammell, Dave Mosby, Bob McLeod, Norman Mulvenon, Heather Cothron (Co-Chair). Not pictured: Jake Alexander (Chair), Steve Lewis, Charles Washington.

The mission of this committee is to:

1. Develop an understanding of DOE's ORR EM projects and facilitate public participation in providing feedback to DOE on these decisions.
2. Evaluate DOE's implementation of ongoing ORR EM projects, and document any significant observations and concerns.
3. Identify and evaluate "cross-cutting" issues (such as cleanup criteria for contaminated soil and management of demolition rubble) associated with ongoing and anticipated ORR EM projects.
4. Consider public outreach, health and safety, and environmental justice issues related to mission topics.

The committee's FY 2002 work plan topics included oversight of remedy selection and implementation; 2002 budget, funding, and priorities; management of buried uranium; SSAB groundwater workshop; off-reservation groundwater monitoring; and in-place TRU waste.

HIGHLIGHTS/ACCOMPLISHMENTS

- On February 14, 2002, the committee cosponsored a public meeting on the FY 2003 EM budget request. Approximately 30 members of the Board and the public attended the meeting (see story on page 5).

RECOMMENDATIONS AND COMMENTS

- Request for Inclusion as a Consulting Party on Historic Preservation Issues
- Comments on the *Oak Ridge Performance Management Plan*
- ORSSAB Endorsement of the Oak Ridge DOE EM Program *Oak Ridge Comprehensive Closure Plan Proposal*
- Comments on the *Proposed Plan for Interim Remedial Actions for Selected Contaminated Soil, Material, and Blair Quarry within Zone 1, East Tennessee Technology Park*

EXECUTIVE



Committee members, clockwise from top left: Dave Mosby (Vice Chair), John Million, Charles Washington, Luther Gibson (Chair). Not pictured: Jake Alexander, Peery Shaffer, Corkie Staley.

General Board business is handled by the Executive Committee, which is composed of the elected officers of the Board and the committee chairs. The committee holds general administrative authority to set Board agendas, coordinate the work of committees, and transact business as may be necessary between regular meetings. The Executive Committee presents all recommendations other than administrative ones to the Board for action.

RECOMMENDATIONS AND COMMENTS

- ORSSAB Endorsement of National SSAB Letter to Assistant Secretary for Environmental Management
- Endorsement of SSAB Groundwater Workshop Final Statements

STEWARDSHIP



Committee members, clockwise from top left: John Million (Co-Chair), Donna Campbell, Norman Mulvenon, Ben Adams. Not pictured: Ryan Burton, Alix King, Peery Shaffer (Chair), Corkie Staley, Scott Vowell.

The goal of the Stewardship Committee is to serve as a forum for discussion of topics relevant to the long-term stewardship of the ORR and to act as liaison between DOE and the community at-large regarding stewardship issues. The Stewardship Committee works to ensure that DOE takes steps toward an effective stewardship program for the ORR, promote local involvement in stewardship for the ORR, and further a national commitment to stewardship across DOE sites. The committee also considers public outreach, health and safety, and environmental justice issues related to its mission topics.

The committee's FY 2002 work plan topics included stewardship in legal documents, the Long-Term Stewardship Management Plan, the Citizens Board for Stewardship, stewardship education and outreach, long-term stewardship information, and funding.

HIGHLIGHTS/ACCOMPLISHMENTS

- A Stewardship Education Subcommittee was formed to ensure that stewardship issues are understood and discussed throughout the community through outreach programs in schools, state and local governments, and various other community organizations around the region. The subcommittee met several times to work on the following items:

- stewardship fact sheet,
- speakers bureau,
- stewardship resource guide for area schools,
- video library about the ORR and related stewardship issues, and
- ORR tours for high school students.
- The committee established a steering committee to define and develop a common understanding of the roles and responsibilities for a Citizens Board for Stewardship, as outlined in the *Oak Ridge Reservation Stakeholder Report on Stewardship, Volumes 1 and 2*. The *Public Involvement Plan for CERCLA Activities at the ORR* (DOE/OR/01-1950&D2) subsequently identified the ORSSAB Stewardship Committee as the informal citizens board for stewardship.
- The committee met with David Geiser, Director of the DOE-HQ Office of Long-Term Stewardship, on October 18, 2002, to discuss programmatic and policy issues related to stewardship.
- The committee established a Stewardship Status Team to review completed remediation projects to see how stewardship is being incorporated. The Status Team developed an annotated outline for the annual DOE-ORO *Remediation Effectiveness Report* (RER) to codify the report's outline in the *Annotated Outlines for the Federal Facility Agreement*. This will ensure that annual assessments by the Citizens Board for Stewardship will have consistency and rigor.
- The Stewardship Education Subcommittee worked with two area high school classes to develop executive summaries for the *Oak Ridge Reservation Stakeholder Report on Stewardship, Volumes 1 and 2*.

RECOMMENDATIONS AND COMMENTS

- Recommendations on RER General Outline
- Public Participation Issues in the DOE "Top-to-Bottom Review of the EM Program"
- Long-Term Stewardship Issues in the DOE "Top-to-Bottom Review of the EM Program"
- Comments on the DOE HQ Long-Term Stewardship Strategic Plan, dated December 7, 2001

WASTE MANAGEMENT



Committee members, standing, from left: John Million, John Kennerly, Pat Hill, Steve Kopp (Co-Chair), Luis Revilla. Seated, from left: Jeanne Bonner, Luther Gibson, Norman Mulvenon. Not pictured: Jake Alexander, Amy DeMint, Mary Lynn Fletcher, E.W. Seals, Charles Washington (Chair).

The mission of the Waste Management Committee is to study and make recommendations concerning off site waste disposal options; transportation issues; TSCAI permitting, emissions, and public acceptance; and the EM Waste Management Facility (EMWMF). The committee also considers public outreach, health and safety, and environmental justice issues related to its mission topics.

The committee's FY 2002 work plan topics included rail access to the Nevada Test Site, tipping fees and interstate equity for waste treatment, the Programmatic Environmental Impact Statement on scrap metal, land application of sanitary sludge, the ESD process, EMWMF, the Engineering Evaluation/Cost Analysis on K-25/K-27, national dialog on alternative technologies to incineration, TSCAI, the Broad Spectrum Provider Program, environmental issues associated with private entities on the ORR, and TRU waste issues.

HIGHLIGHTS/ACCOMPLISHMENTS

- On December 19, 2001, the committee sponsored a public meeting with Helen Belencan, LLW and Mixed LLW Program Manager for the DOE-HQ Office of Integration and Disposition. Ms. Belencan discussed her analysis of DOE complex-wide incineration needs and the pending decision regarding the planned closure of TSCAI.

- On June 19, 2002, the Waste Management Committee toured the Foster Wheeler TRU waste processing facility being constructed in Melton Valley.
- The committee assisted in development of a new fact sheet for waste acceptance criteria for the EMWMF and a new fact sheet and public web site for TSCAI.

RECOMMENDATIONS & COMMENTS

- Recommendations on Accelerated Disposition of Legacy LLW at the DOE ORR
- Recommendations on Deletion of Milestones for Mixed TRU Wastes from the *Site Treatment Plan for Mixed Wastes on the DOE ORR*
- Recommendations on the Evaluation of Closure of the DOE TSCAI
- Recommendations on Explanations of Significant Difference for CERCLA Records of Decision at the DOE ORR
- Recommendations & Comments on the *Engineering Evaluation/Cost Analysis for the Decontamination and Decommissioning of the K-25 and K-27 Buildings at ETTP, DOE/OR/01-1917&D3*

BOARD PROCESS

The purpose of this committee is to serve as the Board's forum for initial debate on issues involving Board process. The committee's scope includes review of ORSSAB Bylaws, Standing Rules, and Special Rules of Order; Board meeting structure; staff interface (including handling requests for technical assistance); standards and formats for submitting recommendations and comments to DOE; new member training; retreat planning; and process for preparation of the Board's work plan. Committee members for FY 2002 were John Million, Dave Mosby, Norman Mulvenon, Luis Revilla, Peery Shaffer (Chair), and Corkie Staley.

MEMBERSHIP

BEN ADAMS

Ben is an engineer, landscape architect, and land surveyor with 41 years of practice in design sciences. He is employed by ACHW, Inc. Ben is a member of the Oak Ridge Chamber of Commerce and the Oak Ridge Breakfast Rotary Club, and he is on the board of the East Tennessee Economic Council. Ben is a resident of Oak Ridge.

RICHARD (DICK) BERRY

Dick is the former chairman and CEO of Rembco Geotechnical Contractors, Inc., based in Knoxville. He now consults in the geotechnical field. He is a member of the American Society of Civil Engineers and the American Institute of Chemical Engineers. A resident of Lenoir City, Dick received a B.S. degree in Chemical Engineering and an M.S. degree in Business Administration.

JAKE ALEXANDER

Jake is a regulatory compliance manager with British Nuclear Fuels, Ltd., in Oak Ridge and a member of the adjunct faculty with the University of Tennessee's Engineering Graduate School. He served on the Oak Ridge Health Agreement Steering Panel and is a former member of the Oak Ridge Environmental Quality Advisory Board.



The 2002 Annual Retreat brought together ORSSAB members, ex officios, and others in an effort to begin the process of drafting a work plan for the year. Shown left to right are Charles Washington (member), Connie Jones (EPA ex officio), Pat Halsey (DOE ex officio), and Ralph Skinner (DOE liaison to the Stewardship Committee).

JEANNE BONNER

Jeanne is employed by UT-Battelle, LLC, at ORNL. She has a degree in chemical engineering and experience in facility decontamination and decommissioning (D&D), radiochemical processing, hazardous waste operations, and emergency response. An Oak Ridge resident, Jeanne is an active member of the PTA, Society of Women Engineers, and Delta Sigma Theta Sorority, Inc.

DONNA CAMPBELL

Donna was a charter member of the Board and served two terms (1995–1999) in addition to her current term, which began in July 2001. She is a librarian for Tetra Tech FW, Inc., in Oak Ridge and holds undergraduate and graduate degrees in biology and library science. A Harriman resident, Donna is a preschool teacher and is active in the jail ministry at First Baptist Church of Kingston. She also volunteers with local public libraries and is a member of the Special Libraries Association.

JENNA CARIGNAN

Jenna is the ORSSAB student representative from Oak Ridge High School for the term May 2002–April 2003. Jenna was involved in summarizing the *Stakeholder Stewardship Report Volume I* this year at Oak Ridge High School and is interested in pursuing a major in environmental law in college.

HEATHER COTHRON

Heather is employed by Science Applications International Corporation as an engineer and project manager at ORNL. She holds a B.S. degree in biology and an M.S. degree in chemical engineering and is a certified Project Management Professional and a Registered Environmental Manager. In 1997–1999 she was the DOE representative on the FUSRAP community/stakeholder group, and she formerly worked as a regulator with TDEC. Heather is a resident of Oliver Springs.

AMY DEMINT

Amy has lived in Kingston for the past 18 years and works as a metallurgical engineer at in the BWXT Y-12 Technology Development Organization, focusing primarily on processing uranium metal. She has B.S. and M.S. degrees in metallurgical engineering.

LUTHER V. GIBSON, JR.

Luther works in the BWXT Y-12 Analytical Chemistry Organization and holds an M.S. degree in chemical engineering. He has worked for DOE contractors for 26 years on environmental technologies and compliance issues. He was 1998–99 chair of the East Tennessee Chapter of the Air & Waste Management Association and was ORSSAB Chair in FYs 2001 and 2002. Luther is a member of the Local Oversight Committee–Citizens Advisory Panel.



FY 2003 Chair Dave Mosby (left) presents a commemorative clock to Luther Gibson to mark Luther's service to ORSSAB as Chair during FYs 2001 and 2002. The award was presented at the September 2002 ORSSAB meeting.

PATRICIA H. HILL

Pat is an artist and teacher who has worked as an art director for the Boys & Girls Clubs of Knoxville, as a graphic artist at the *Knoxville News-Sentinel*, and as a teacher at the Apostolic Christian School in Knoxville. She is a former member of the East Tennessee Cherokee Indian League and is a current member of the Smithsonian Institution and the National Trust for Historic Preservation. Pat resides in Knoxville.

DAVID JOHNSON

David is the ORSSAB student representative from Karns High School for the term May 2002–April 2003. David is a senior, and he maintains a 4.21 GPA and is currently ranked first in his class. He is Captain of the Karns Scholars' Bowl Team and President of the Karns

chapter of Mu Alpha Theta (a Math Honor Society). David has lettered for the past 3 years with the Karns High School tennis team, and he has won several science awards. David is an Eagle Scout, and he has performed volunteer work with Fort Sanders Park West Hospital and Habitat for Humanity. He wishes to pursue a major in physics or political science in college.

JOHN KENNERLY

John is a retired chemical engineer who worked for Lockheed Martin Energy Systems. He has broad experience in diverse EM technology areas, such as environmental restoration, waste management, D&D, permitting, planning, and cost estimating. He is a member of the Sierra Club, the American Institute of Chemical Engineers, the American Society of Testing and Materials, the Tennessee Ornithological Society, the Board of Directors for Tennessee Wesleyan College, and the program advisory committee for the yearly Waste Management Conference. John is a Knoxville resident.

STEVE KOPP

Steve is an attorney with more than 25 years of experience in the environmental, health, and safety regulatory field. Steve is a former Chair of the Citizens Advisory Panel of the Local Oversight Committee, and he served as ORSSAB Chair in FY 2000. Steve resides in Knoxville.

COLIN LORING

Colin is a natural resource conservationist at the U.S. Department of Agriculture Natural Resources Conservation Service. For the past year he has worked with the National Resources Inventory Program inventorying resource base changes in East Tennessee. He received his B.A. in geology from the University of Tennessee and has completed 2 years of graduate work at East Tennessee State University in environmental health. Colin lives in Oak Ridge.

ROBERT MCLEOD

Robert is a Registered Professional Engineer and Registered Professional Geologist with Robert S. McLeod and Associates. He has more than 30 years experience in engineering management and environmental work and has managed numerous DOE

projects, including two remedial investigation/feasibility studies and the program to implement the DOE Hazardous Waste Remedial Actions Program. From 1988 to 1996 he managed the Oak Ridge office of Parsons Engineering Science, Inc. Robert resides in Oak Ridge.

JOHN MILLION

John is retired chemist who worked at the K-25 site, now known as ETTP. A resident of Oak Ridge since 1957, John has a high interest in the well-being of the community. He is a member of the Woodland Neighborhood Association, which is in close proximity to the Y-12 Plant.

DAVID MOSBY

Dave is a project manager in the Project Management Organization at BWXT Y-12, where he manages engineering and construction projects at the Oak Ridge Y-12 Plant. He is an Oak Ridge resident and serves as a community representative for the NAACP. Dave also serves as an Oak Ridge City Councilman, and he served as ORSSAB Vice Chair in FYs 2001 and 2002.

NORMAN MULVENON

Norman is retired from EG&G ORTEC, where he held a series of positions in marketing and sales. He is the current Chairman of the Citizens Advisory Panel of the Local Oversight Committee and a member of the NAACP-Oak Ridge Branch, the League of Women Voters of Oak Ridge, and the Oak Ridge Environmental Justice Committee. Norman holds a B.S. degree in biological sciences and has lived in Oak Ridge for the past 31 years.

LUIS REVILLA

Luis is a Fire Systems Engineer with the Fire Department at the Y-12 National Security Complex. He is a certified paramedic, fire fighter, fire inspector, and hazardous materials technician. He holds an Associate of Arts degree and is a graduate of the Donnellson Law Enforcement Academy. Luis lives in Knoxville, where he coaches baseball and basketball in the Farragut Community and is involved in church activities.

GEORGE RIMEL

George has lived in Clinton for the past 6 years and has worked as a steam plant operator/stationary engineer with BWXT Y-12 the past 26 years. He is a member of the Atomic Trades and Labor Council. He has been active in Behavior Safety Training and presently conducts classes in Homeland Security Training. He is a member of the Claxton Optimist Club and is serving his first term on the board.

KERRY TRAMMELL

Kerry works for NHC Healthcare and holds an M.S. degree in health planning and administration. An Oak Ridge resident, he has served two terms on the Oak Ridge Chamber of Commerce and is currently president of the Anderson County Health Council.

CHARLES WASHINGTON, SR.

Charles is a retired environmental engineer who holds B.S. and M.S. degrees in chemistry and has won numerous scientific awards and commendations, including Inventor of the Year and two Presidential Awards. Charles lives in Oak Ridge and is interested in the impacts of DOE's activities on the African-American community.

IN APPRECIATION

The Board wishes to acknowledge the participation of the following members and student representatives who also served on ORSSAB during FY 2002: Ryan Burton, Mary Lynn Fletcher, Alix King, Steve Lewis, E.W. Seals, Peery Shaffer, Coralie Staley, and Scott Vowell. The Board would especially like to thank Rod Nelson, who served as ORSSAB's Deputy Designated Federal Official from July 1999 to December 2001.

APPENDIX A: FY 2002 BOARD MEETINGS

The tasks facing DOE-ORO EM are varied and complex, and the numerous programs involved in cleanup work are constantly evolving to meet EM needs. Keeping up with all those programs and activities is a challenge in and of itself, and one way ORSSAB does so is by devoting time during each monthly Board meeting

for presentations by individuals who play key roles in cleanup and management of the ORR. Following is a list of FY 2002 presentations and a sampling of photos from Board meetings. Video tape recordings of meetings may be viewed by calling the ORSSAB support office at 865-576-1590.

Date	Presentation	Speaker
September 12, 2001	Reindustrialization	Susan Cange, DOE
October 10, 2001	TDEC Residential Well Monitoring Program	Don Gilmore, TDEC
November 14, 2001	Update on the EMWMF	Bill Cahill, DOE
December 10, 2001	Emergency Management Preparedness and Communications	Bobby Davis and Steve Wyatt, DOE
January 9, 2002	Overview of EM Activities in Melton Valley	Dave Adler, DOE
February 13, 2002	Deletion of Mixed TRU Milestones from the Site Treatment Plan	Gary Riner, DOE Bill Childres, TDEC
March 13, 2002	Long-Term Stewardship Strategic Plan	Ralph Skinner, DOE
April 10, 2002	<i>Oak Ridge Comprehensive Closure Plan Proposal</i>	Bob Sleeman, DOE
May 8, 2002	No meeting presentation this month	
June 12, 2002	Update on the Boneyard/Burnyard Project	Jason Darby, DOE
July 10, 2002	ORR Land Use Planning Process	Pat Parr, ORNL
August 27, 2002	Annual Planning Retreat & Meeting	



Gary Riner, Manager of the DOE-ORO TRU Waste Program, discusses DOE's removal of milestones for mixed TRU waste streams from the ORR Site Treatment Plan (STP) for Mixed Waste. TDEC's Bill Childres followed Mr. Riner's presentation with an explanation of the state's position on the controversial issue. The discussion took place at the February 13, 2002, Board meeting. ORSSAB members generally agreed with TDEC's position and submitted a recommendation to DOE that the milestones remain in the STP (see page 25).



Bob Sleeman, Leader of DOE-ORO Environmental Services, explains budget details the February 14, 2002, public meeting on the DOE-Oak Ridge Operations EM budget. The meeting, which addressed the FY 2002 budget allocation and project prioritization information for FY 2003 and FY 2004, was cosponsored by ORSSAB as a way to help the public become more informed and involved in cleanup decision-making. The meeting was held at Jacobs Technical Center and drew about 30 people.



DOE-ORO's Marianne Heiskell answers a question from the Board as Pat Parr, Project Leader for the ORR Land Use Planning Process, looks on. The purpose of their presentation was to explain the Land Use Planning Process, which was the methodology used to develop a set of possible land use scenarios for portions of the ORR that may no longer be needed for DOE missions in the future. As part of the process, a focus group was formed to facilitate development of the scenarios, and public input was sought through meetings and presentations, such as this one to ORSSAB on July 10, 2002.



John Owsley, Director of TDEC's DOE Oversight Division and an ORSSAB ex officio, leads discussion of topics that had been proposed by TDEC for the Board's FY 2003 work plan. The discussion took place at the ORSSAB annual planning retreat, held August 3-4, 2002, at Rothchild Catering in Knoxville. Connie Jones, EPA's ORSSAB ex officio, and Gerald Boyd, the Board's Deputy Designated Federal Official, also discussed topics that their agencies had proposed for the work plan.



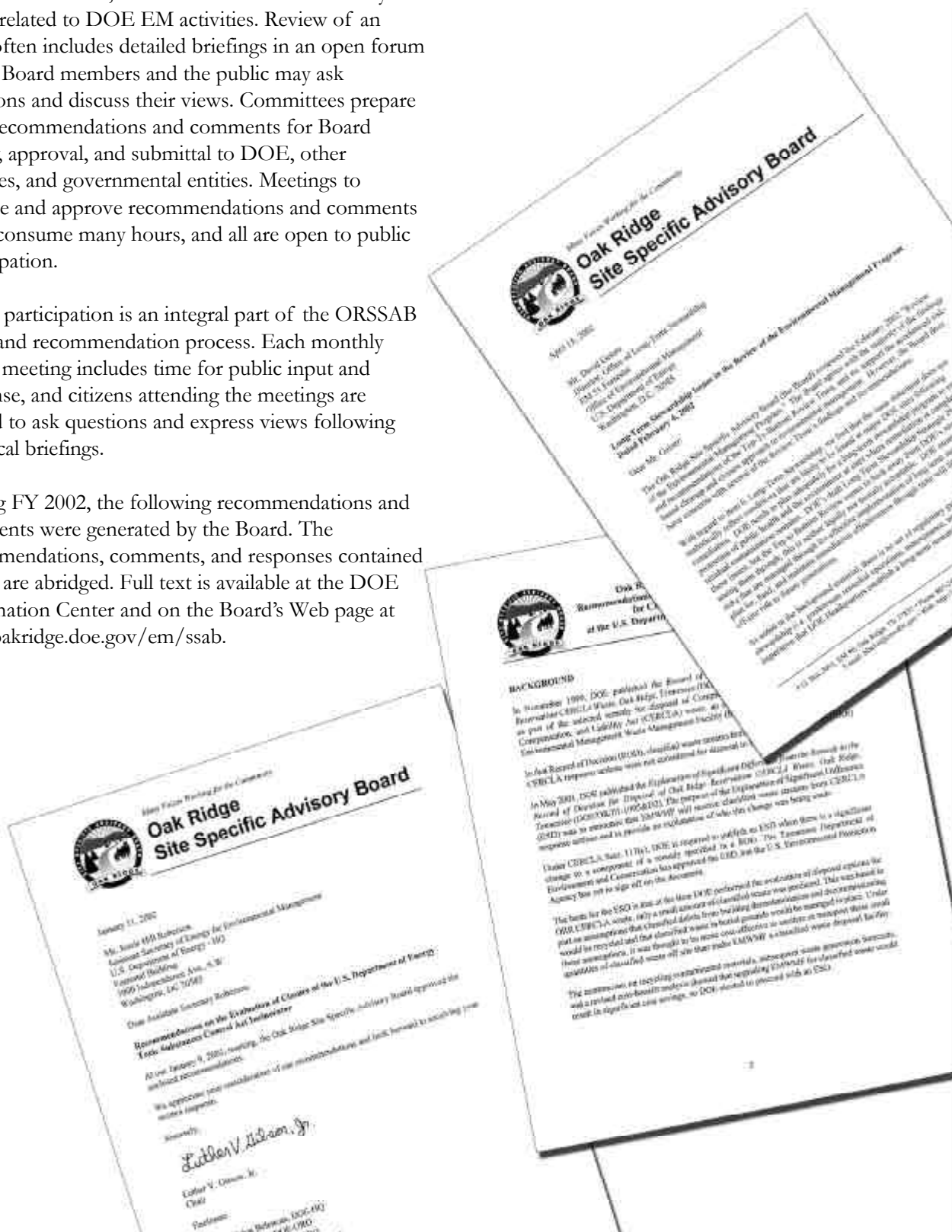
Making a point at the January 9, 2002, Board meeting is David Adler, Acting Leader of the DOE-ORO Integrated Waste Disposition Planning and External Interface Team. His presentation focused on EM activities in Melton Valley, where DOE is initiating a multi-year program for remediation of the valley's burial grounds. The presentation included a detailed discussion of existing hazards in the watershed and how planned cleanup actions will address them.

APPENDIX B: FY 2002 RECOMMENDATIONS AND COMMENTS

Since its formation, the Board has studied a variety of issues related to DOE EM activities. Review of an issue often includes detailed briefings in an open forum where Board members and the public may ask questions and discuss their views. Committees prepare draft recommendations and comments for Board review, approval, and submittal to DOE, other agencies, and governmental entities. Meetings to prepare and approve recommendations and comments often consume many hours, and all are open to public participation.

Public participation is an integral part of the ORSSAB study and recommendation process. Each monthly Board meeting includes time for public input and response, and citizens attending the meetings are invited to ask questions and express views following technical briefings.

During FY 2002, the following recommendations and comments were generated by the Board. The recommendations, comments, and responses contained herein are abridged. Full text is available at the DOE Information Center and on the Board's Web page at www.oakridge.doe.gov/em/ssab.



RECOMMENDATIONS & COMMENTS ON THE *ENGINEERING EVALUATION/COST ANALYSIS FOR D&D OF THE K-25 AND K-27 BUILDINGS*

BACKGROUND

An Engineering Evaluation/Cost Analysis (EE/CA) for the non-time-critical removal of the K-25 and K-27 buildings and their contents was issued for public review in July 2001 as part of DOE's continuing risk-reduction strategy for cleanup of ETTP.

Buildings K-25 and K-27 were constructed from 1943 to 1945 to supply enriched uranium for nuclear weapons production as part of the World War II Manhattan Project. The gaseous diffusion cascade used to enrich uranium was permanently shut down in December 1987.

The buildings are proposed for D&D because of their poor physical condition and the expense and risk associated with surveillance and maintenance activities. As DOE works toward closure of the ETTP site, removal of these gargantuan structures is paramount.

The preferred alternative for this project involves equipment removal, building demolition, and disposal of wastes. The demolition process will leave the basement slabs and retaining walls in place in a sound condition. The slabs and underground soil and utilities will be addressed in a future Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) ROD for the ETTP site. Activities will be accomplished by three major subcontractors for (1) hazardous material abatement, (2) process equipment removal, and (3) building demolition. The overall anticipated time frame for this project is 8 years. The estimated cost is \$294 million.

The K-25 and K-27 buildings and their associated structures are contributing properties to the K-25 Main Plant Historic District and have been determined eligible for inclusion in the National Register of Historic Places. The K-25 building is one of DOE's Manhattan Project Signature Facilities (out of eight total facilities in the country). In accordance with the National Historic Preservation Act, DOE must consider impacts from the proposed action, consult with the Tennessee State

Historic Preservation Officer, and seek mitigation alternatives to minimize adverse effects to historic properties. During the public comment period on the EE/CA, DOE requested public input on the mitigation options. Following the public comment period, a Memorandum of Agreement will be finalized to set forth measures to preserve the history of these facilities.

RECOMMENDATIONS/COMMENTS (APPROVED 9/12/01)

The ORSSAB Waste Management Committee reviewed the EE/CA primarily to identify concerns related to the committee's interest in EMWMF. According to the *Attainment Plan for Risk/Toxicity-Based Waste Acceptance Criteria at the Oak Ridge Reservation* (DOE/OR/01-1909&D2), EM Program projects are to identify wastes to be disposed at EMWMF. Other comments were developed to address related, relevant topics.

ORSSAB recommends that DOE add explanation in the Action Memorandum for the Buildings K-25 and K-27 D&D Project to address the following questions:

- How will DOE survey the converters?
- How will macroencapsulation be performed?
- How will issues of size, void space, and placement and protection of classified material from K-25 and K-27 be addressed relative to the EMWMF?
- How will DOE evaluate acceptability of converters relative to the EMWMF waste acceptance criteria?

In Section 5.4.1.1 and similar discussions, it seems that an exemption to Department of Transportation regulations will be implemented by temporarily closing public highways on the reservation. The logistics and frequency should be explained.

RESPONSE

ORSSAB recommendations and comments were addressed in a 20-page responsiveness summary incorporated into the *Action Memorandum for the Decontamination and Decommissioning of the K-25 and K-27 Buildings, ETTP* (DOE/OR/01-1988&D1).

REQUEST FOR REPRESENTATION ON THE ORR LAND-USE FOCUS GROUP

BACKGROUND

At its September 12, 2002, meeting, the Board discussed a land-use focus group recently formed by DOE to draft a roadmap for development on the ORR. The group was to include representatives from the city of Oak Ridge, the Advocates for the Oak Ridge Reservation, Friends of ORNL, the Nature Conservancy, the Oak Ridge Chamber of Commerce, the Tennessee Valley Authority, and CROET, among others. The Board voted to send a letter to DOE-ORO Site Manager Leah Dever asking that the SSAB be granted a seat on the group.

RECOMMENDATIONS (APPROVED 9/12/01)

We understand that DOE-ORO officially announced the creation of a new focus group and land-use planning process during a press conference on August 29.

According to published reports, the process will focus on the environmental assets of Oak Ridge, with the goal of drafting a “roadmap for development on the reservation” and that this process will allow for the identification of properties which should be off limits to development. The land-use group is purportedly a compromise to DOE’s performing an extensive and complex environmental impact statement on the entire reservation.

We further understand that the land-use focus group includes representatives from various governmental entities, business organizations, and advocacy groups. Among these advocacy groups are Advocates for the Oak Ridge Reservation, Friends of ORNL, the Nature Conservancy, and the Tennessee Conservation League.

As you know, ORSSAB has since 1995 been an interested and involved party in environmental land-use issues at the ORR. Our board served as leader of the End Use Working Group and continues advocacy of land-use issues through our various stewardship initiatives.

Because aspects of the environmental cleanup program will have a bearing on the land-use planning process, we request that a member of ORSSAB sit on the land-use focus group. This request received the unanimous support of our members at our September 12 meeting.

We appreciate your consideration of our request and look forward to receiving your written response.

RESPONSE

The following response was received from Leah Dever, DOE-ORO Manager, in correspondence dated October 18, 2001:

Thank you for your organization’s continued interest and involvement in the EM Program of DOE. ORSSAB has added and continues to provide exceptional value in so many endeavors of the DOE in Oak Ridge and on a national level. We are grateful for the amount of time, energy, technical expertise and broad-based input your organization consistently gives to the Department’s EM activities.

We appreciate your desire to be involved in the Land-Use Planning Focus Group; however, we do not want to dilute any of your efforts in advising the Department on EM matters. We feel that the values of the SSAB will be incorporated in the focus group activities by the three recent past members of the SSAB, two of them long-term and charter members.

As with any other group of interested citizens, we would appreciate your attendance and participation at focus group meetings. Any comments provided by the SSAB and its members are valuable and will be considered throughout the process.

COMMENTS ON THE PROPOSED PLAN FOR INTERIM REMEDIAL ACTIONS FOR SELECTED CONTAMINATED SOIL, MATERIAL, AND BLAIR QUARRY WITHIN ZONE 1

BACKGROUND

This proposed plan presents DOE's preferred interim remedial action for selected contaminated soil, material, and Blair Quarry within a portion (Zone 1) of ETTP. Zone 1, roughly 1400 acres, is defined as the land area located outside of the main fence of ETTP but within the area where most disposal activities occurred. This proposed plan documents the rationale for selection of the preferred interim remedial actions within the framework of CERCLA. This document contains information about alternative screening and evaluation beyond what is normally found in operable unit level proposed plan documents.

Originally, the strategy for ETTP included at least two RODs: one for source control and one for groundwater. Upon review of the draft site-wide remedial investigation, the strategy was modified due to concerns about data sufficiency and the magnitude of decision making. Currently, the strategy is to divide ETTP into two discrete zones (or operable units) inside and outside the main fence and to develop a series of RODs (both interim and final) to address identified contamination within each zone. Final remedial investigation and feasibility study documents will be produced to support the final RODs for each zone.

This proposed plan is the first time that DOE, EPA Region 4, and TDEC have tried writing a plan together, instead of DOE writing the plan first then sending it to EPA and TDEC for their input and approval.

The Board received a presentation on December 13, 2000, on the Zone 1 proposed plan and was told that since the Zone 1 activities would cost over \$75 million, the plan must be presented to the EPA Remedy Review Board for consideration. This would cause a delay in the issuance of the plan for about three months. The Environmental Restoration Committee also had several presentations made to their committee about the progress of the plan. The members also attended the public meeting held September 5.

COMMENTS (APPROVED 10/10/01)

These actions represent the first wide-scale implementation of an industrial end use at the ORR. As such, a robust stewardship program incorporating effective institutional controls is an essential component of long-term protection of human health and the environment. ORSSAB requests ongoing information about this action sufficient to allow us to evaluate the efficacy of the long-term stewardship efforts.

Other comments are as follows:

- Page 7, 1st Column, "ETTP Remediation Strategy" Section—ETTP is a government facility that was used to enrich uranium from 1942 until it was placed in standby in 1985 and permanently shut down in 1987.
- Page 8, 2nd Column, 1st full paragraph—Please indicate which contaminants of concern principally contribute to the hazard index.
- Page 14, 1st column, 1st full paragraph—Technetium-99 is present in the scrap metal.
- Page 30, 1st column, "Scrap" section, 2nd paragraph—The proposed change to DOE Order 5400.5 which will prohibit the recycling of scrap metal containing detectable radiation above background levels, is only one of several alternatives expected to be evaluated during preparation of a programmatic environmental impact statement.

RESPONSE

ORSSAB recommendations and comments were addressed in a 7-page responsiveness summary incorporated into the *Record of Decision for Interim Remedial Actions for Selected Contaminated Areas within Zone 1, East Tennessee Technology Park, Oak Ridge, Tennessee* (DOE/OR/01-1997&D1).

RECOMMENDATIONS ON ESDs FOR CERCLA RODs AT THE DOE ORR

BACKGROUND

In November 1999, DOE published the *Record of Decision for Disposal of Oak Ridge Reservation CERCLA Waste*, which presents, as part of the selected remedy for disposal of CERCLA waste, an on-site waste disposal facility (EMWMF). In that ROD, classified waste streams from the ORR CERCLA response actions were not considered for disposal in EMWMF. In May 2001, DOE published the *Explanation of Significant Difference from the Remedy in the Record of Decision for Disposal of Oak Ridge Reservation CERCLA Waste*. The purpose of the Explanation of Significant Difference (ESD) was to announce that EMWMF will receive classified waste from CERCLA actions and to provide an explanation of why this change was being made. Under CERCLA, DOE is required to publish an ESD when there is a significant change to a remedy specified in a ROD.

The basis for the ESD is that at the time DOE performed the evaluation of disposal options for ORR CERCLA waste, only a small amount of classified waste was predicted. This was based in part on assumptions that classified debris from building decontamination and decommissioning would be recycled and that classified waste in burial grounds would be managed in place. Under these assumptions, it was thought to be more cost-effective to sanitize or transport these small quantities of classified waste off site than make EMWMF a classified waste disposal facility.

The moratorium on recycling contaminated materials, subsequent waste generation forecasts, and a revised cost-benefit analysis showed that upgrading EMWMF for classified waste would result in significant cost savings, so DOE elected to proceed with an ESD.

During ORSSAB deliberation of the ESD, it came to the attention of the Board that many stakeholders were unaware of this issue as it was being developed. ORSSAB believes that any change in a ROD sufficient to warrant an ESD is also sufficient to warrant reasonable public notification and information. To this end, the Board recommends that DOE take the following actions for all future ESDs.

RECOMMENDATIONS (APPROVED 10/10/01)

ORSSAB recommends that DOE:

- Seek early public input on potential issues for which an ESD or ROD amendment may become required.
- Provide broad public notification of the intent to prepare an ESD at the earliest possible date so that public issues and concerns can be considered in the preparation of the ESD. This notification should at a minimum include a general notice and specific notification to all stakeholder groups who monitor DOE issues on a regular basis.
- Develop a fact sheet that clearly explains the rationale behind the ESD and the potential impacts on the original decision.
- Provide an opportunity for stakeholders to provide input to the ESD process.

RESPONSE

The following response was received from Gerald Boyd, Assistant Manager for EM, in correspondence dated May 31, 2002:

During the next few months DOE-ORO EM will be proposing to EPA and TDEC either a modification of or an ESD for the Melton Valley ROD. To facilitate public involvement, we are proposing the following process. If these efforts prove to be of value to both the public and EM, considerations will be made to make the process standard for future changes to RODs.

- A fact sheet will be developed clearly explaining the scope of the proposed change to the Melton Valley ROD and the potential impacts to the original decision. The fact sheet will be reviewed by the ORSSAB Environmental Restoration Committee for clarity and completeness.
- The finalized fact sheet will be made available to the public at the DOE Information Center, and public notification of its availability will be made.
- DOE, TDEC, and EPA will keep the Board aware of the decision being made to either modify the ROD or to change the ROD through the ESD process.
- DOE will be available to brief the Environmental Restoration Committee and/or the SSAB members on public comments received during the development/negotiation process with EPA and TDEC.

RECOMMENDATIONS ON THE EVALUATION OF CLOSURE OF THE DOE TSCAI

BACKGROUND

TSCAI is the only DOE incinerator permitted to store and thermally treat PCB-contaminated radioactive and hazardous mixed waste. Over 27,000,000 pounds of waste from 19 DOE facilities in 8 states have been treated since operations began in 1991. DOE's 2002 baseline planning showed an end to TSCAI operations in September 2003, but a DOE-HQ update of its complex-wide incineration needs and a decision whether to continue with the closure or extend operations beyond September 2003 were scheduled for early 2002.

The ORSSAB Waste Management Committee invited Helen Belencan, LLW and Mixed LLW Program Manager for DOE-HQ, to the committee's December 2001 meeting to discuss her analysis of complex-wide incineration needs and the pending closure decision. According to Ms. Belencan, demand for TSCAI will be strong through 2005 and then drop dramatically. But 60% of the 110,000 m³ of mixed LLW requiring disposition through 2010 have yet to be characterized, and treatment of that material may be required.

Because this upcoming decision is of great importance to Oak Ridge and other sites in the DOE complex, the Board chose to make the following recommendations.

RECOMMENDATIONS (APPROVED 1/9/02)

ORSSAB recommends that DOE conduct a comprehensive evaluation of the full life-cycle costs and impacts of all alternatives for DOE complex waste currently baselined for incineration. Without a formal change in DOE's overall policy toward incineration, ORSSAB believes that a strong argument must be made prior to replacing an available, safe, proven technology. We request that this evaluation be provided to the public and that public input be invited and considered prior to making the final decision. The following topics deserve a full and comprehensive evaluation:

1. Consider the full life-cycle costs of alternatives—Evaluate and compare to TSCAI costs the total life-cycle costs of development, operation, shipping, packaging, disposal, shut down, and D&D of any new technology that will perform as well or better than TSCAI.
2. Fully evaluate the feasibility of implementing viable alternatives to TSCAI—Identify the data and criteria showing there is a feasible alternative that will be in place and operating upon TSCAI closure.
3. Fully consider the value of the investment in TSCAI—Fully explore the capabilities of TSCAI and the cost-effectiveness of using it to its full capabilities and capacity. More than \$40 million has been invested in TSCAI to date, and a great deal of effort is being made to renew its permits. TSCAI was designed to process solids, and especially soils, but has never been fully utilized for such or for non-PCB mixed waste. Base any conclusion about underutilization of treatment capacity on all facility permit constraints that may limit waste feed rates.
4. Fully consider the impact of TSCAI on equity issues for the ORR—Consider the equity issues in ensuring that ORR wastes can be treated and disposed across the complex in a cost-effective, timely manner as DOE and state regulators balance equity issues.
5. Fully consider the collateral costs and impacts of closing TSCAI—Identify the total collateral costs to ETTP of closing TSCAI, including decreased utilization of the utility system, the Central Neutralization Facility, and the steam plant. Identify economic impacts of closing TSCAI on the Oak Ridge community, workers, and business.

RESPONSE

A three-page detailed response accompanied the following letter from Jessie Roberson, Assistant Secretary for EM, in a letter dated April 8, 2002:

Thank you for your letter and recommendations concerning TSCAI. I agree with you that TSCAI is an important and unique resource for the DOE and for achieving the Office of EM cleanup mission. Based upon the analysis shared with your Waste Management Committee in December 2001 concerning the need for the type of treatment that TSCAI can provide, I am willing to consider supporting operation of TSCAI beyond the currently planned closure date of 2003. Helen Belencan, of my staff, will work with you and DOE-ORO to ensure we have adequately addressed your recommendations including sharing this analyses with the public and considering the public input.

COMMENTS ON THE DOE-HQ *LONG-TERM STEWARDSHIP STRATEGIC PLAN*

BACKGROUND

ORSSAB endorsed the following comments, previously submitted by members of the public in order to meet the January 29 deadline on the draft DOE-HQ *Long-Term Stewardship Strategic Plan*.

COMMENTS (APPROVED 2/13/02)

Overall, we were pleased with the plan and the degree to which it encompassed the many stewardship issues we have raised over the years. We are hopeful that the strong commitment to stewardship expressed in the document will shape future departmental policy and guidance. In particular, we strongly support and look forward to DOE's plans to address the following key stewardship needs:

- the need to ensure DOE's strong commitment to and acceptance of the responsibility for long term stewardship,
- the need to provide site-specific and long term flexibility in designing and implementing long term stewardship,
- the need to pursue and understand alternative funding mechanisms,
- the need to develop and implement departmental policies and guidance for long term stewardship,
- the need to incorporate long term stewardship into all departmental planning and policies including the DOE mission statement,
- the need to integrate long term stewardship into all remediation decision making,
- the need to make long term stewardship a part of individual job responsibility and performance measures,
- the need to involve stakeholders at all levels of planning and implementation,
- the need to plan for the inter-generational nature of long term stewardship,
- the need to quantify costs of long term stewardship and conduct life cycle cost estimates,
- the need to build long term stewardship considerations into the planning of new activities,
- the need to clearly identify long term stewardship roles and responsibilities,
- the need to understand and create response capability for remedy failures,

- the need to develop appropriate information management systems, and
- the need to conduct meaningful long term stewardship research.

In addition, we recognize a number of issues that require additional clarification or development to ensure appropriate application to long term stewardship. These include the following:

- The plan needs to clarify and strengthen the focus of long term stewardship on contaminated lands.
- On the potential impact of external factors on page 6, we suggest wording be rearranged to suggest setting up buffer zones before population changes make them both imperative and difficult to arrange.
- Relative to strategy 1.3.5, the art and science of stewardship may not be ready for standards development, though a careful effort might clarify that status.
- Discussion of funding does not delineate the unsatisfactory aspects of the dependence on annual budget cycles for stewardship.
- While the importance of stakeholder and local involvement is noted in the principles, it is identified too infrequently in the body of the report.
- The plan needs to increase the emphasis on the need for effective information systems, proper identification and organization of information, and public access to information at the local level.
- The relation of stewardship to natural and cultural resources might best be handled in a section on intersecting management areas, rather than as a part of departmental stewardship of contaminated areas.
- Where transfer of contaminated sites is considered, the document seems far too optimistic that future stewardship responsibilities will still be provided.
- Objective 3.3 should focus on bona-fide long term stewardship needs.

RESPONSE

Comments are being incorporated into the plan, along with comments from other reviewers.

RECOMMENDATIONS ON DELETION OF MILESTONES FOR MIXED TRU WASTES FROM THE *SITE TREATMENT PLAN FOR MIXED WASTES ON THE DOE ORR*

BACKGROUND

DOE's annual *Oak Ridge Reservation Site Treatment Plan* (STP) spells out how and when TRU and other mixed wastes will be disposed of. But in October 2001, DOE notified TDEC that it was removing mixed TRU requirements, including enforceable milestones, from the STP. The reason, DOE said, was that this waste is no longer subject to STP requirements because of a statutory change regarding WIPP.

WIPP is not authorized under its existing permit to accept remote-handled TRU waste. But in 1996 Congress amended the WIPP Land Withdrawal Act and established that DOE did not have to treat mixed TRU waste designated for disposal at WIPP to meet the land disposal restrictions of the Resource Conservation and Recovery Act. According to DOE, the Land Withdrawal Act eliminates the need for all DOE sites to treat mixed TRU waste to such standards prior to disposal at WIPP.

TDEC's position is that DOE is interpreting the WIPP Land Withdrawal Act out of context and that the act refers only to WIPP and not to requirements at other DOE sites, such as Oak Ridge. The agency also questions why DOE waited 5 years after the act was signed to bring up the issue.

The state further contends that even if it is conceded that there was an intent to remove land disposal restrictions from mixed TRU wastes at places other than WIPP, the amendment does not affect state law and regulations in an authorized hazardous waste program, such as the one in place in Tennessee.

In ORSSAB deliberations on the issue, another key rationale for keeping the milestones in the STP was identified. The FY 2002 budget for the Oak Ridge EM Program has been reduced to the point where regulatory milestones for cleanup projects are having to be renegotiated with TDEC and EPA. And with a proposed FY 2003 cleanup budget of \$20 million less than in 2002, ORSSAB questions how DOE can guarantee that funding to dispose of this waste can be

secured in such a climate. Keeping milestones in the STP is security against the loss of funding for the project, which can occur not only through the annual DOE budget process but also through shifting priorities as federal administrations change.

RECOMMENDATIONS (APPROVED 3/13/02)

ORSSAB recommends that DOE reverse its position on removing mixed TRU milestones from the STP and restore them to the document. ORSSAB recommends that DOE go forward with completion of its TRU treatment facility and proceed with treatment of mixed TRU supernate and contact-handled wastes. ORSSAB recommends to DOE and TDEC that milestones for remote-handled TRU treatment remain in the STP but that they be extended until WIPP can obtain a permit to accept this waste class.

RESPONSE

The following response was received from Gerald Boyd, Assistant Manager for EM, in correspondence dated August 9, 2002:

Thank you for the letter dated March 14, 2002, regarding the deletion of TRU waste milestones from the *Site Treatment Plan for Mixed Waste on the DOE ORR*. We appreciate the effort by ORSSAB to provide a recommendation.

As you are no doubt aware, DOE is currently attempting to resolve this issue with the State of Tennessee in concert with our efforts to accelerate cleanup of the ORR. While DOE and the State have reached substantive agreement on general aspects of the plan, many details, including mixed TRU milestones, remain to be resolved. Until we have reached agreement on all issues with the State, we will be unable to provide a substantive response to your recommendation. In the meantime, we wish to acknowledge receipt of your recommendation and assure you that ORSSAB's recommendation is being taken into account in our negotiations with the State.

ENDORSEMENT OF SSAB GROUNDWATER WORKSHOP FINAL STATEMENTS

BACKGROUND

The EM SSABs conducted a Groundwater Workshop in Augusta, Georgia, in January 2002. The purpose was to improve understanding of groundwater cleanup and technology issues; to foster dialog among SSABs about common groundwater issues and concerns; and to provide joint recommendations toward resolution of those concerns. The results of the workshop are a listing of statements related to groundwater. These statements were developed and agreed to by all workshop participants and were taken back to each of the SSABs where they received further endorsement.

RECOMMENDATIONS (APPROVED 3/13/02)

The nationwide EM SSABs strongly believe that the cleanup and protection of ground water should be one of the highest priorities of DOE. Therefore, the SSABs recommend that DOE utilize the following statements as they formulate policy and actions related to ground water, and that they develop performance metrics to track their own and contractor efforts in this area.

Communication and Public Participation—Public awareness of DOE groundwater issues shall be a priority. DOE will work with SSABs and other stakeholders, including tribes, to create and implement communication and community participation activities that ensure public understanding of and participation in site-specific groundwater issues. DOE, in its decision-making, shall incorporate stakeholder values in choosing appropriate solutions for groundwater issues. DOE and regulators shall establish accountability to stakeholders and tribes through full disclosure and measurable criteria developed with stakeholder and tribal involvement.

Regulatory/ Decision Making—Effective and sustainable decision making requires that DOE and its regulators formally incorporate stakeholders, including tribal governments into predecisional planning related to all groundwater issues. Such involvement should be substantive and measurable. When a remedy decision is made that allows contamination to remain, agencies shall make explicit the rationale being used, including short- and long-term risks, costs, and benefits. Monitored Natural Attenuation (MNA) should not be viewed as a default remediation effort. Rather, MNA may be

considered along with viable technology to determine an effective site-specific solution. The remedy decision shall include provisions for periodic independent review and assessment of effectiveness of the remedy.

Groundwater Technology and Research—DOE and regulators shall identify, evaluate, select, and apply best available technologies, incorporating lessons learned across the complex and elsewhere, for preventing and remediating groundwater contamination. DOE and regulators shall pursue innovative technology for gathering data to develop and validate conceptual models, support decision-making, and confirm effectiveness of groundwater remediation.

Stewardship of Groundwater—DOE shall establish and implement principles of good stewardship:

- Ensure long-term control of all existing and potential sources that may introduce contaminants to groundwater.
- Design all new operations to prevent adverse impacts to soil and groundwater.
- Fully disclose current and future groundwater and soil contamination in a timely manner.
- Ensure public access to complete information, now and throughout the period of stewardship.
- Fully integrate stewardship principles into an objective and comprehensive planning process that includes local, stakeholder, and tribal concerns.

Implementation of stewardship principles is an obligation that shall be fully funded.

RESPONSE

The following abridged response was received from Jessie Roberson, Assistant Secretary for EM, in correspondence dated May 7, 2002:

I appreciate the SSABs' hard work on this challenging issue. I do understand the importance of protecting groundwater and will make sure that we consider your statements as we progress with an accelerated cleanup. Per your request, I will have Ms. Martha Crosland, Director, Office of Intergovernmental and Public Accountability, to include a sufficient time to discuss the statements at our next meeting.

LONG-TERM STEWARDSHIP AND PUBLIC PARTICIPATION ISSUES IN THE DOE “TOP-TO-BOTTOM REVIEW OF THE EM PROGRAM”

BACKGROUND

In Spring 2002, ORSSAB reviewed DOE’s “Top-to-Bottom Review of the EM Program” and generated the following two recommendations, the first to David Geiser, Director of the DOE-HQ Office of Long-Term Stewardship, and the second to Martha Crosland, Director of the Office of Intergovernmental and Public Accountability.

STEWARDSHIP (APPROVED 4/10/02)

The Board agrees with the majority of the findings of the Top-To-Bottom Review Team, and we support the accelerated risk-based cleanup and closure approach to EM. But we have concerns with several of the Review Team’s findings and recommendations.

With regard to long-term stewardship, we find that the issue statement does not realistically reflect conditions likely to exist at major DOE sites following remediation. As noted in the background material, there is no set of regulatory guidelines for long-term stewardship. Thus, it is imperative that DOE-HQ establish a long-term stewardship strategy and develop policy and guidance for its implementation. Such guidance must be flexible enough to allow for various state requirements and site circumstances, and it should emphasize that planning for long-term stewardship is an integral part of remediation.

Other issues such as sustainability, land transfers, and required custodianship are less straightforward activities that DOE must address soon because remediation is complete or soon to be completed for 58 sites.

PUBLIC PARTICIPATION (APPROVED 4/10/02)

With regard to item 11, we take issue with the Review Team’s finding that “State, community, and stakeholder support” is an activity “... that may not be appropriate for an accelerated, risk-based cleanup program” and that such activity is “...in addition to EM’s core cleanup mission.” Under CERCLA, public participation is an integral part of decision making and in Oak Ridge it has had a significant positive impact on keeping the parties to the Federal Facility Agreement focused on remediation activities. Furthermore, we believe that

stakeholder involvement in the “core business” of EM has lessened the potential for legal actions that would drain resources away from risk reduction activities. Rather than delaying remediation, we believe that community involvement contributes to an accelerated risk-reduction program.

The Board believes that DOE-ORO’s support of community and stakeholder involvement in the EM program has benefited DOE and the community in many ways. Most importantly, it has resulted in a common understanding of remediation activities and of the “give and take” that is needed for effective remediation of the Oak Ridge Reservation. It has transformed an environment of mistrust into one of cooperation, and it has resulted in public acceptance of remediation and initial planning for long-term stewardship.

In addition, we want to mention two recent activities that are not directly related to the EM program, but which we believe would not have been possible without the successes of the previous EM efforts and the spirit of community involvement that they spawned. These are a DOE ORO Land Use Planning Focus Group, and the recent publication of “Oak Ridge, Tennessee – A Citizen’s Guide to the Environment” a report written by community members without any DOE support. The report describes Oak Ridge and the relationship and effects of DOE on the community. It is dedicated to providing an unbiased, factual account of life in Oak Ridge and was supported by 30 local organizations.

For those communities that must live with hazardous and radioactive contamination in their backyards, it is hardly inappropriate or an unnecessary addition “to the core cleanup mission” to provide support for state, community, and stakeholder participation in EM activities. The benefits of community involvement and support far outweigh any costs.

RESPONSE

No formal response was requested..

RECOMMENDATIONS ON ACCELERATED DISPOSITION OF LEGACY LLW

BACKGROUND

In March 2002, DOE-ORO submitted its *DOE-Oak Ridge Top-to-Bottom Review Comprehensive Closure Proposal* to DOE-HQ. The proposal identifies two projects for accelerated closure at the ORR: ETTP and Melton Valley. Accelerated disposition of legacy LLW was included as part of the proposal for these sites because disposition of these wastes is integral to closure.

At currently proposed funding levels, completion of legacy LLW disposition will not be accomplished until FY 2011. Under the Comprehensive Closure Proposal, disposition would be complete by the end of FY 2004 at a total cost savings of \$34 million. These savings would result from efficiencies achieved by disposing of approximately 60% of legacy LLW in EMWMF and through greatly reduced storage costs resulting from accelerated disposition. The remaining 40% of legacy LLW stored on the ORR will be sent to a permitted and licensed offsite disposal location.

One difficulty with the plan is that the waste must receive legal reclassification so that it meets the definition of “CERCLA-generated waste,” which according to the EMWMF ROD, is the only waste type that may be accepted at the facility. According to DOE, the agency has developed a legal opinion that supports disposition of some legacy LLW under CERCLA criteria due to an “imminent threat of release of the material into the environment.” EPA and the State of Tennessee have tentatively accepted this argument. The legacy LLW identified in this opinion is only that material stored outside buildings prior to September 30, 2000. These wastes include dry active waste, scrap metal, debris, soils, residues, and some classified material.

In addition to the projected cost savings of \$34 million, accelerating disposition of legacy LLW by 7 years will reduce the transportation risk that would have been associated with shipping 60% of the waste to NTS (an estimated 2.6 million truck miles), and it will reduce the risk associated with outdoor storage of the material. And while 60% of legacy LLW will be interred in EMWMF, only 1% of the estimated curies contained in the legacy material will be disposed there; the more heavily radioactive LLW will be shipped offsite. The

legacy wastes would amount to less than 2% of the total volume expected at EMWMF over the life cycle baseline, and disposition of the legacy material at EMWMF would amount to a very small addition to the overall curie loading at EMWMF.

RECOMMENDATIONS (APPROVED 5/8/02)

ORSSAB recommends that DOE pursue reclassification of outdoor-stored legacy LLW waste as “CERCLA-generated waste” for the purpose of disposing this material at EMWMF. ORSSAB supports the proposed dispositioning of legacy LLW as spelled out in the Comprehensive Closure Proposal and with disposing outdoor-stored legacy LLW at EMWMF, assuming the material meets the waste acceptance criteria set for the facility. ORSSAB agrees with DOE that this will result in the most expeditious disposal of the material and that it will result in a considerable cost savings to the public.

RESPONSE

The following response was received from Gerald Boyd, Assistant Manager for EM, in correspondence dated July 1, 2002:

Thank you for your recent letter which outlines recommendations regarding the accelerated disposition of LLW from the ORR. This activity is part of the *Oak Ridge Comprehensive Closure Plan* initially generated by DOE-ORO in response to the DOE Top-to-Bottom Review. Disposition of accumulated legacy LLW is integral to the cleanup strategy for ETTP and Melton Valley, and is important to ensure the success of these projects. We are continuing to work with EPA and TDEC to reach agreement on the disposition strategy for this waste, including disposing of some legacy LLW as under the provisions of CERCLA in the on-site EMWMF. We are also continuing to evaluate the most cost effective means for off-site disposition of the waste.

We will strive to keep the Board aware of any decisions being made, and will be available to brief the Waste Management committee or the entire SSAB, whenever we determine it to be appropriate or the Board deems it timely during the development and implementation of this project.

ORSSAB ENDORSEMENT OF THE OAK RIDGE DOE EM PROGRAM *OAK RIDGE COMPREHENSIVE CLOSURE PLAN PROPOSAL*

BACKGROUND

In March 2002, DOE-ORO submitted a Comprehensive Cleanup Proposal to accelerate the closure of the Oak Ridge EM Program by 6 years and reduce the cost by more than \$2 billion. Following extensive study and debate, ORSSAB generated the following statement.

RECOMMENDATION (APPROVED 5/8/02)

Members of ORSSAB have reviewed the proposal. At its monthly meeting on May 8, 2002, the Board voted to endorse the accelerated cleanup initiatives presented by the DOE-ORO EM Program in the proposal. Given the unconventional protocols established in the top-to-

bottom review for accelerated cleanup, and the relatively short timeframe given DOE to prepare the proposal, we find the document to represent a creditable effort. The proposal effectively utilizes the criteria of risk and/or mortgage reduction to greatly accelerate several key projects at the ORR. Although many details of the initiatives remain to be developed, we expect that DOE-HQ will provide the additional money needed to fund these fast-tracked projects as part of the comprehensive cleanup plan at the ORR.

RESPONSE

No response was requested.

ORSSAB ENDORSEMENT OF EM SSAB LETTER TO JESSIE ROBERSON

BACKGROUND

At the Spring 2002 EM SSAB Chairs Meeting, the Chairs agreed to write a letter to Jessie Roberson to offer their assistance in addressing complex-wide EM issues. The letter was reviewed and endorsed by the nine SSABs and was signed at the Fall 2002 Chairs Meeting. Following is the text of the letter.

RECOMMENDATION (APPROVED 5/8/02)

The purpose of this letter is to ask how the SSABs might help you and the site managers address common, complex-wide issues. The Chairs of the SSABs met in April 2002. Gene Schmitt's budget overview generated much debate on funding priorities. Mr. Schmitt spoke of the DOE goal of developing a strategy for building a "common vision" among regulators, stakeholders, and communities for accelerated risk reduction. The idea generated two questions, "What sort of input do you want from the SSABs?" and "What is your intent for engaging the SSABs on national issues?" Since we were asked for our input, and as a critical link to DOE communities and stakeholders, we agreed that one thing we must do is offer you our help. We are ready to offer our experience and in-depth site-level perspective. We offer a genuine "value-added" resource for tackling the challenges ahead. Although the SSABs focus on localized, site-specific issues, we can do much more. Together, we offer a dynamic synergy of volunteer

effort and environmental management expertise few organizations possess; We look forward to hearing what input you want from the SSABs and what your intent is for engaging the SSABs on national issues.

RESPONSE

Ms. Roberson's abridged response is as follows:

The board's advice, recommendations and in-depth site-level perspective can be of great assistance to us in resolving issues at the site, including those that are common across the EM complex. The objectives of the EM program are to accelerate risk reduction and closure. I expect the board to provide us with timely advice and recommendations to assist in furthering these goals. Please work closely with the site manager in planning the work plans and meeting agendas. This will help ensure the board's ability to provide us with useful recommendations on issues important to accelerating cleanup. As common, complex-wide issues are identified, SSAB workshops such as those previously conducted on low-level and mixed-waste, transportation, stewardship and groundwater, can be of assistance in helping address such issues. I am pleased that such a workshop on TRU wastes is scheduled for early next year in Carlsbad, New Mexico. Possible topics for future workshops include information management for long-term stewardship and the transition from cleanup to closure.

COMMENTS ON THE *OAK RIDGE PERFORMANCE MANAGEMENT PLAN*

BACKGROUND

In March 2002, DOE-ORO submitted a Comprehensive Cleanup Proposal to accelerate the closure of the Oak Ridge EM Program by 6 years and reduce the cost by more than \$2 billion. In May 2002, a Letter of Intent was signed by DOE, TDEC, and EPA. In June 2002, the Oak Ridge Accelerated Cleanup Plan Agreement was signed by the three parties. The latest document in this planning process is the Oak Ridge Performance Management Plan (PMP), which was developed by the ORR EM Program to outline its plan to accelerate remediation of the ORR

COMMENTS (APPROVED 7/10/02)

- **Public Participation**—The accelerated cleanup plan and the subsequent PMP were developed by DOE at a fast pace and have evolved rapidly. ORSSAB is concerned that public involvement in the accelerated cleanup planning has suffered due to the expedited approach required by headquarters to meet the criteria for accelerated cleanup funding. A comprehensive responsiveness summary should be completed that addresses *all* the comments that have been received on *all* the accelerated cleanup documentation to date to tie all the issues together.
- **Historic Preservation** - A discussion of the historic preservation process and possible outcomes of this process need to be added to the document.
- **Comprehensive Waste Disposition** - The PMP discusses waste disposition in general terms but does not specifically discuss the waste disposal agreements currently in place, the agreements needed to be put in place, and the legal and/or state/congressional actions that must be taken in order for the disposal to be feasible.
- **EMWMF** - The PMP currently states that the depleted UF₆ cylinders will be disposed at EMWMF. Provide a discussion and plan for all the waste streams that are/may be approved for EMWMF and the associated waste volumes providing for unanticipated volume growth based on historical waste volume estimates and actual final waste volumes generated on similar EM projects.
- **TSCAI** - It appears that TSCAI will be an integral part of the waste management plan for waste generated by the accelerated cleanup. However, there has been no official announcement concerning the

fate of the incinerator. The future use of TSCAI needs to be specifically addressed for each of the following issues: waste streams, waste volumes, waste point(s) of origination, schedule of operation, and shutdown/dismantlement and final disposition of the incinerator after final shutdown.

- **Reindustrialization** - DOE is attempting to reindustrialize the ETTP site as a commercial industrial park. Will there be any restricted areas or controlled industrial areas at ETTP following closure? How will these areas be controlled/monitored to ensure they remain controlled or restricted?
- **Long-Term Stewardship** - Stewardship of areas at ORR that are not unrestricted following cleanup and closure must be addressed in the PMP. There must be a comprehensive plan to address who, what, and where concerning the remaining waste and contamination to ensure these areas remain undisturbed as intended.
- **Groundwater** - The presumption of the PMP appears to be there will be no-action RODs for groundwater across the ORR. Under the CERCLA process, such a presumption should not be made.
- **Responsibilities Within DOE** - It should be stated whether National Nuclear Security Administration and Office of Science will have all of the waste disposition pathways currently available to EM after transfer of newly generated waste responsibility.
- **Budgeting** - Provide the budget baseline for the PMP, including all assumptions. In order for earned value to be used as a performance measurement tool, a project baseline must be developed for the entire closure schedule and plan.
- **Contracting** - It is not clear whether the contract will be management and operation, management and integration, or something else. The impact on the existing workforce and the regional economy should be considered in planning and scheduling the work and in changes of contractors performing work.
- **Risk** - Though the document is based on acceleration of risk reduction, risk is not well defined.

RESPONSE

ORSSAB recommendations and comments were addressed in a 6-page responsiveness summary incorporated into the PMP draft submitted by DOE-ORO to DOE-HQ on July 15, 2002.

RECOMMENDATIONS ON REMEDIATION EFFECTIVENESS REPORTS OUTLINE

BACKGROUND

The annual Remediation Effectiveness Report (RER) is intended to collate all ORR CERCLA decision requirements, compare pre- and post-remediation conditions at CERCLA sites, and present the results of any required post-decision monitoring. In 2001, the RER played the additional role of being the first ORR-wide CERCLA Five-Year Review. The report consolidated the five-year reviews of multiple CERCLA decision sites into a single year and also incorporates ongoing remediation activities for that fiscal year. ORSSAB discussed the utility of the RER and Five-Year Review and how it might be used in the Stewardship assessment protocol process. This dialogue formulated the following recommendation.

RECOMMENDATION (APPROVED 8/3/02)

ORSSAB recommends that DOE adopt a similar, if not the exact same outline, as shown below and codify the final outline in the Federal Facility Agreement Annotated Outlines. This codification would make sure that all entries contain the same material, allowing easy assessment and evaluation. In addition, this same outline would carry forward to be used for the CERCLA Five-Year Reviews.

1. Project Title

2. Documentation and Dates—(footnote document; include any changes or revisions to documents, such as addenda or ESDs, in this section and in the bibliography).

- ROD or Action Memorandum
- Remedial Action Report (as well as any Phased Construction Completion Reports or Removal Action Report)

3. Project Description—This section should provide a summary of the remedial (removal) action. While brief, the description should be comprehensive enough that a person unfamiliar with the action is able to understand the project setting and the rationale for the work. References to applicable sections of related documents should be included.

- Remedial action objectives
- Type of remedial (removal) action - describe the work performed (e.g., soil removal, capping, engineered controls)

- Geographic location; map and coordinates and surrounding features
 - Baseline risk; highlight site conditions prior to remediation; include types and quantities of known waste; potential pathways for human and environmental exposure; assumptions used in the baseline risk assessment (e.g., toxicity, bio-availability); summarize the overall quantitative risk
 - Contaminated material removed from site; amount and disposition
 - End use of site; include planned land, groundwater, and surface water uses
 - Access controls required following the action
 - Project information location
 - Site manager; name and contact information
- 4. Residual Risk**—Brief description of residual contamination and associated risk. Describe potential exposure pathways.
- 5. Site Inspection and Monitoring**—Evaluate site conditions using current monitoring plans and reports to demonstrate that remediation action objectives are being attained.
- 6. Site Stewardship Requirements**—List and evaluate the effectiveness of stewardship activities agreed to or implied in CERCLA documents or elsewhere (e.g., deeds, transfer agreements, Land Use Control Implementation Plans).
- Institutional land use and access controls
 - Physical access controls
 - Site remediation maintenance
 - Site inspections—routine and specially initiated after natural disasters
 - Responsibility for stewardship (e.g., stewards)
 - Location and accessibility of remedial action documents and other important information
 - Funding for stewardship activities
- 7. Deficiency Follow-up**—Outline the status of follow-up for deficiencies identified through inspection, monitoring, or changes in assumptions or information between RERs.
- 8. Recommendations**—List recommendations relative to maintaining the remedial action objectives or altering future RERs.

RESPONSE

DOE'S response is forthcoming.

REQUEST FOR INCLUSION AS A CONSULTING PARTY FOR HISTORIC PRESERVATION

BACKGROUND

The K-25 and K-27 buildings at ETTP are contributing properties to the K-25 Main Plant Historic District and have been determined eligible for inclusion in the National Register of Historic Places. The K-25 building is one of DOE's Manhattan Project Signature Facilities (out of eight total facilities in the country). In accordance with the National Historic Preservation Act, DOE must consider impacts from the proposed action, consult with the Tennessee State Historic Preservation Officer, and seek mitigation alternatives to minimize adverse effects to historic properties.

In FY 2002 the ORSSAB Environmental Restoration Committee identified the historic preservation of landmark buildings as a topic for their work plan. Following a presentation to the committee by Gary Hartman, DOE-ORO Cultural Resources Management Coordinator, the Board agreed that it was important to have public representation included while discussions on historic preservation are being made. The Board then generated the following recommendation.

RECOMMENDATION (APPROVED 8/3/02)

ORSSAB formally requests to be included as a consulting party in all historic preservation decisions for the ORR. Our Environmental Restoration Committee was briefed about the National Historic Preservation Act Consultation Meeting in April and as a result has identified the historic preservation of land mark buildings as a potential topic for their annual work plan for the upcoming year. Previously, the committee had expressed an interest in the historic preservation of the K-25 and K-27 Buildings and had selected Mr. Norman Mulvenon as the task team leader for this issue. In this capacity, he had attended the April National Historic Preservation Act Consultation Meeting, the walk-through of the K-25 Building as historical artifacts were identified, and the recent meeting held July 23.

ORSSAB is a volunteer citizens' panel composed of up to 20 members, chosen to reflect the diversity of gender, race, occupation, and interests of persons living near the ORR. Non-voting members include representatives from DOE-ORO; EPA, Region 4, and TDEC. These members advise the Board on their respective agency's policies and views. In addition, the Board has two non-voting student representatives.

ORSSAB is dedicated to provide advice and recommendations to the DOE on its ORR EM program regarding environmental restoration, waste management, stewardship, and economic development of specified areas; recommendations concerning health and safety, environmental justice, and other topics may be included as the Board determines appropriate. The Board is also committed to serving as a communication link between the public and the relevant government agencies. The group was formed and chartered under the Federal Advisory Committee Act in 1995.

Please provide us with a written response to let us know if we may have an ORSSAB representative included as a consulting party as historic preservation decisions are being made for the ORR.

RESPONSE

The following response was received from Gary Hartman in correspondence dated October 23, 2002:

In response to your letter dated August 8, 2002, DOE-ORO welcomes the SSAB as a consulting party in historic preservation decisions for National Historic Preservation Act proposed EM undertakings on the ORR. I look forward to working with the SSAB as a consulting party for proposed DOE-ORO EM undertakings.

APPENDIX C: ABBREVIATIONS

CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CROET	Community Reuse Organization of East Tennessee
D&D	decontamination and decommissioning
DOE	U.S. Department of Energy
DOE-HQ	DOE-Headquarters
DOE-ORO	DOE-Oak Ridge Operations
EE/CA	engineering evaluation/cost analysis
EM	Environmental Management
EMWMF	Environmental Management Waste Management Facility
EPA	U.S. Environmental Protection Agency
ESD	explanation of significant difference
ETTP	East Tennessee Technology Park
FY	fiscal year
IT3	International Conference on Incineration and Thermal Treatment Technologies
LLW	low-level (radioactive) waste
NTS	Nevada Test Site
ORNL	Oak Ridge National Laboratory
ORR	Oak Ridge Reservation
ORSSAB	Oak Ridge Site Specific Advisory Board
PMP	performance management plan
RER	remediation effectiveness report
ROD	record of decision
SSAB	site specific advisory board
STP	site treatment plan
TDEC	Tennessee Department of Environment and Conservation
TRU	transuranic
TSCAI	Toxic Substances Control Act Incinerator
WIPP	Waste Isolation Pilot Plant
Y-12	Oak Ridge Y-12 National Security Complex